REMARKS/ARGUMENTS

It is believed that the Examiner has found that claims 4 and/or 7 recite allowable subject matter. Accordingly, claims 4 and 7 have been presented in an independent form solely in order to expedite prosecution. The Applicant reserves that right to pursue claims of the original scope in a continuation.

Contrary to the Examiner's assertion, it is respectfully submitted that *Crelier* does NOT teach or suggest a load attribute, in a class file, that indicates one or more components of the class file have been selected for loading into a virtual machine. Accordingly, it is respectfully requested that the Examiner withdraw the rejection.

Moreover, it is respectfully submitted that claimed invention is patentable over *Crelier and Cohen* for at least the following reasons:

(a) *Crelier* does NOT teach or suggest loading one or more components of a class file into a virtual machine when it is determined that the one or more components of the class file are to be loaded into the virtual machine (claim 1)

Contrary to the Examiner's assertion (Final Office Action, paragraph 7, page 3), it is very respectfully submitted that *Crelier* does NOT teach this feature. Moreover, it is respectfully submitted that *Crelier* cannot possibly teach this feature because, among other things, *Crelier* fails to teach: determining whether one or more components of a class file are to be loaded into the virtual machine. As noted by the Examiner in the Final Office Action that *Cohen* (NOT *Crelier*) allegedly teaches: "determining whether one or more components of said class files to be loaded into said virtual machine" (Final Office Action, paragraph 7, page 3). Accordingly, it is earnestly believed that it is apparent that the Examiner's rejection is improper and should be withdrawn because, among other things, the Examiner has not even asserted that *Crelier* teaches "determining whether one or more components of a class file are to be loaded into a virtual machine."

(b) *Cohen* does NOT teach or suggest determining whether one or more components of the class file are to be loaded into a virtual (claim 1)

It is noted that *Cohen* states:

> *When the extended class loader obtains a class file to be loaded, it passes the class file to an interface implementing the process disclosed in the present invention. The disclosed process determines, using a decision specification provided by the user, if modifications are needed to the class file, and if so they are applied according to a modification specification provided by the user. After the transformations are complete, the modified class file is returned to the normal class loader processing and loaded as is normally done. The result of this process is applied to all class files loaded and run in the virtual machine. (Cohen Col. 4, lines 3-15)*

Thus, *Cohen* teaches determining whether "modifications are needed to the class file." This teaching, however, does NOT teach or even remotely suggest determining whether one or more components of the class file are to be loaded into the virtual machine.

In fact, *Cohen* states "the modified class file is returned to the normal class loader processing and loaded as is normally done." Accordingly, it is respectfully submitted that *Cohen* cannot possibly teach or even remotely suggest this feature.

(c) *Cohen* does NOT Teach or suggest NOT loading one or more other components of the class file (claim 1)

In view of the foregoing, it is earnestly believed that it is apparent that *Cohen* cannot possibly teach or even remotely suggest this feature because, among other things, it fails to teach determining whether one or more components of the class file are to be loaded into the virtual machine.

(d) *The Examiner has NOT made a prima facie case of obviousness because the Examiner has failed to provide a motivation or suggestion in Crelier or Cohen, or general knowledge in the art for combining the references* (claim 1)

Contrary to the Examiner's assertion, it is very respectfully submitted that the mere assertion that a combination would result in a positive effect (i.e., "user would be able to identify and locate which classes are to be loaded by marking") does NOT in anyway provide a motivation or suggestion in the references themselves or general knowledge to combine the references in the first place to get the positive effect. (see, for example, MPEP §2143.01, paragraphs I and II)

(e) *Crelier* does NOT teach or suggest a load attribute, in a class file, that indicates one or more components of the class file have been selected for loading into a virtual machine (claims 9, 10, 13 and 16)

Contrary to the Examiner's assertion, it is respectfully submitted that *Crelier* does NOT teach a load attribute, in a class file, that indicates one or more components of the class file have been selected for loading into a virtual machine.

Furthermore, it is respectfully submitted that Crelier clearly does NOT teach an attribute table which includes one or more offsets of one or more components of the class file which are to be loaded into the virtual machine (claim 7).

(f) *Crelier* does NOT teach or suggest loading components of a class file which have been associated with a load attribute provided in a class file (claim 16)

Contrary to the Examiner's assertion (Final Office Action paragraph 17, page 5), it is very respectfully submitted that *Crelier* does NOT teach this feature. Moreover, based on the foregoing, it is very respectfully submitted that *Crelier* cannot possibly teach this feature because, among other things, *Crelier* does NOT teach a load attribute and completely lacks any teaching or suggestion with respect to selectively loading components of a class file into a virtual machine.

CONCLUSION

Based on the foregoing, it is submitted that claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. SUN1P816). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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